

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF NORTH CAROLINA

STEVEN E. EDWARDS,)
)
 Petitioner,)
)
 v.) 1:12CV1378
) 1:05cr265
UNITED STATES OF AMERICA,)
)
 Respondent.)

ORDER

The Recommendation of the United States Magistrate Judge was filed with the court in accordance with 28 U.S.C. § 636(b) and, on July 8, 2013, was served on the parties in these actions. Plaintiff objected to the Magistrate Judge's Recommendation within the time prescribed by section 636. (Doc. 190.)

The court has reviewed those portions of the Magistrate Judge's Recommendation to which Plaintiff has objected and made a de novo determination. The court is in agreement with the Recommendation, which will therefore be adopted.

IT IS THEREFORE ORDERED AND ADJUDGED that this action be filed and dismissed *sua sponte* for failure to obtain certification for this § 2255 application by filing a Motion for Authorization in the Fourth Circuit Court of Appeals as required by 28 U.S.C. §§ 2255 and 2244 and Fourth Circuit Local Rule 22(d).

Finding neither a substantial issue for appeal concerning the denial of a constitutional right affecting the conviction nor a debatable procedural ruling, a certificate of appealability is not issued.

/s/ Thomas D. Schroeder
United States District Judge

August 12, 2013